

MAY 17 2010

FILED

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	
	)	CONSENT ORDER
PETITIONER,	)	
	)	
VS.	)	CAUSE NO. C-1830
	)	
WASHINGTON NATIONAL	)	
INSURANCE COMPANY,	)	
	)	
RESPONDENT.	)	

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Janette L. Adair, and Washington National Insurance Company (“Respondent”), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stats. §§ 44-101.01, 44-135, and 44-303 (Reissue 2004). Said jurisdiction and control have been present at all times material hereto.

2. Respondent is an Illinois domiciled insurer holding a certificate of authority to engage in the business of insurance in the State of Nebraska.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Washington National Insurance Company, Cause Number C-1830 on May 3, 2010. A copy of the petition was served upon the Respondent by serving a copy upon Respondent’s agent for service registered with the Department by certified mail, return receipt requested.

2. Respondent violated Neb. Rev. Stat. §§ 44-1540(2), and 44-1540(3) (Reissue 2004), and 210 Neb. Admin. R. & Regs. 61-006.01, 61.006.03, and 61-008.02 (1992). as a result of the following conduct:

- a. On December 9, 2009, Respondent received notice of the death of Robert Ohlmann, an insured under a life insurance policy of Respondent. On December 28, 2009, Respondent received a death certificate from the beneficiary, but a claim form was not provided to the Respondent by the beneficiary. On December 30, 2009, Respondent mailed a letter to the beneficiary confirming receipt of the documents. However, Respondent did not inform the beneficiary that a claim form was still needed in order to process the claim. On January 28, 2010, Respondent mailed a letter to the beneficiary requesting a completed claim form.
- b. On February 12, 2010, Respondent received a claim form and a copy of the insurance policy from the beneficiary under Robert Ohlmann's life insurance policy. On February 22, 2010, insurance producer Maurice R. Rennemeyer contacted Respondent to inquire about the status of the life insurance claim. Respondent informed Rennemeyer to allow twenty (20) days for processing of the claim. Respondent did not complete processing the claim and mail a payment letter to the beneficiary until March 9, 2010.

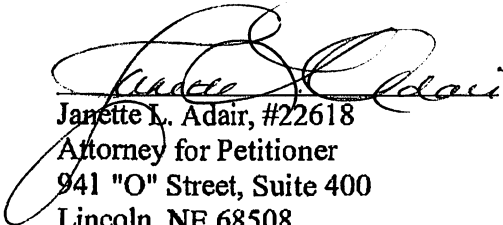
3. Respondent was informed of its right to a public hearing. Without admitting or denying any wrongdoing, Respondent waives that right, and enter into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving its right to a public hearing, Respondent also waives its right to confrontation of witnesses, production of evidence, and judicial review.

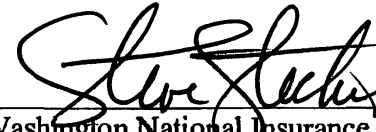
4. Respondent admits the allegation stated in Paragraph 2.

#### CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-1540(2), and 44-1540(3) (Reissue 2004), and 210 Neb. Admin. R. & Regs. 61-006.01, 61.006.03, and 61-008.02 (1992).

in the amount of one thousand dollars (\$1,000.00) due within 30 days after the Director of Insurance or her designee approves and signs this consent order. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing her signature below.

  
Janette L. Adair, #22618  
Attorney for Petitioner  
941 "O" Street, Suite 400  
Lincoln, NE 68508  
(402) 471-2201  
5-13-10  
Date

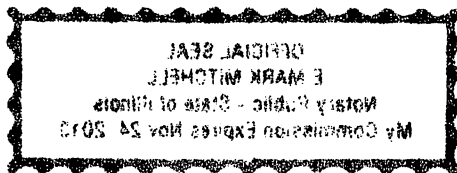
  
Washington National Insurance Co.,  
Respondent  
By: Steve Stecher  
5/10/2010  
Date

State of Illinois )  
County of Cook ) ss.

On this 10<sup>th</sup> day of May, 2010, Steve Stecher  
personally appeared before me on behalf of Washington National Insurance Company  
and read this Consent Order, executed the same, and acknowledged the same to be their  
voluntary act and deed.

  
Notary Public





CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance v. Washington National Insurance Company, Cause Number C-1830.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

Ann M Frohman  
ANN M. FROHMAN  
Director of Insurance

5/17/2010  
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to Respondent's Registered Agent for Service of Process, CSC-Lawyers Incorporating, 122 South 13<sup>th</sup> Street, Suite 1900, Lincoln, NE 68508, by certified mail, return receipt requested, on this 17<sup>th</sup> day of May, 2010.

Sharon A. Shuman

RECEIVED

MAY 13 2010

NEBRASKA DEPARTMENT  
OF INSURANCE